

COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, VA 22313-1450

In re application of: **Klaus OBENDIEK et al.**  
 Serial No.: 10/663,333  
 Filed: September 16, 2003  
 For: **TOP FOR A CONVERTIBLE VEHICLE**

Sir:

Transmitted herewith is an **Information Disclosure Statement** (2 pages) with **PTO-1449** (2 pages) and cited **references** in the above-identified application.

- ☐ Small entity status under 37 C.F.R. 1.9 and 1.27 has been previously established.  
☐ Applicants assert small entity status under 37 C.F.R. 1.9 and 1.27.  
☒ No fee for additional claims is required.  
☐ A filing fee for additional claims calculated as shown below, is required:

FOR:	(Col. 1)	(Col. 2)	PRESENT	SMALL ENTITY		OR	LARGE ENTITY	
	REMAINING	HIGHEST		RATE	FEE		RATE	FEE
	AFTER	PREVIOUSLY						
	AMENDMENT	PAID FOR	EXTRA					
TOTAL CLAIMS	* Minus**	=	0	x \$ 9	\$		x \$ 18	\$
INDEP. CLAIMS	* Minus***	=	0	x \$ 40	\$		x \$ 80	\$
<input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEP. CLAIM				+ \$135	\$		+ \$270	\$

TOTAL: \$ OR TOTAL: \$

- \* If the entry in Co. 1 is less than the entry in Col. 2, write "0" in Col. 3.  
 \*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, write "20" in this space.  
 \*\*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, write "3" in this space.

- ☐ Also transmitted herewith are:  
☐ Petition for extension under 37 C.F.R. 1.136  
☐ Other:  
☐ Check(s) in the amount of **\$0.00** is/are attached to cover:  
☐ Filing fee for additional claims under 37 C.F.R. 1.16  
☐ Petition fee for extension under 37 C.F.R. 1.136  
☐ Other:  
☒ The Assistant Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 50-0552.  
☒ Any filing fee under 37 C.F.R. 1.16 for the presentation of additional claims which are not paid by check submitted herewith.  
☒ Any patent application processing fees under 37 C.F.R. 1.17.  
☒ Any petition fees for extension under 37 C.F.R. 1.136 which are not paid by check submitted herewith, and it is hereby requested that this be a petition for an automatic extension of time under 37 CFR 1.136.

  
 William C. Gehris, Reg. No. 38,156  
 DAVIDSON, DAVIDSON & KAPPEL, LLC  
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I hereby certify that the documents referred to as attached therein and/or fee are being deposited with the United States Postal Service as "first class mail" with sufficient postage in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" on March 26, 2004.  
 DAVIDSON, DAVIDSON & KAPPEL, LLC

BY: 

Oliver Platz



487.1084

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Examiner: To Be Assigned                      Art Unit: 3612

Re:    Application of:                      **OBENDIEK et al.**

                                 Serial No.:                      10/663,333

                                 Filed:                              09/16/2003

                                 For:                                **TOP FOR A CONVERTIBLE VEHICLE**

**INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

March 26, 2004

S i r:

In accordance with the provisions of 37 C.F.R. § 1.97, Applicant hereby makes of record the documents listed on the accompanying PTO-1449 Form (1 page) for consideration by the Examiner in connection with the examination of the above-identified patent application. While the references are being submitted herewith, some or all of the references may not constitute prior art under the U.S. patent laws.


This Information Disclosure Statement is filed under 37 C.F.R. §1.97 (b), before the mailing date of a First Office Action, therefore no fee is believed due.

In the event any additional fee is due in connection with this response or if any fee has been overpaid, the deficiency or overpayment should be charged to our Deposit Account No. 50-0552.

It is respectfully requested that the references cited in the accompanying PTO-1449 form be considered and made of record. It is respectfully submitted that the pending claims are patentable over all of the references made of record at this time.

Respectfully submitted,

DAVIDSON, DAVIDSON & KAPPEL, LLC

By:   
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Reg. No. 38,156

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(212) 736-1940

## LIST OF REFERENCES CITED BY APPLICANT

(Use several sheets if necessary)

ATTY DOCKET NO.

487.1084

APPLICATION NO

10/663,333

APPLICANT

OBENDIEK et al.

FILING DATE

09/16/2003

GROUP

3612

## U.S. PATENT DOCUMENTS

*EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	A01	US 6,336,673	Jan. 8, 02	Rothe et al.	296	107.17
	A02	US 2001/019213	Sep. 6, 01	Eberle	296	108
	A03	US 5,769 483	Jun. 23, 98	Danzl et al.	296	107
	A04	US 2001/040385	Nov. 15, 01	Obendiek	296	108
	A05	US 6,419,296	Jul. 16, 02	Dintner et al.	296	107.18
	A06	US 6,502,892	Jan. 7, 03	Eberle	296	108
	A07	US 6,511,118	Jan. 28, 03	Liedmeyer et al.	296	107.17
	A08					
	A09					
	A10					

## FOREIGN PATENT DOCUMENTS

DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB- CLASS	TRANSLATION
					YES NO
A11	196 42 153	Apr. 16, 98	DE - Germany		English abstract <input type="checkbox"/>
A12	100 39 680	Mar. 7, 2002	DE - Germany		English abstract <input type="checkbox"/>
A13	198 46 006	Apr. 13, 00	DE - Germany		English abstract <input type="checkbox"/>
A14	196 42 152	Apr. 16, 98	DE - Germany		English abstract <input type="checkbox"/>
A15	43 16 485	Nov. 24, 94	DE - Germany		English abstract <input type="checkbox"/>
A16					<input type="checkbox"/>

## OTHER REFERENCES (Including Author, Title, Date, Pertinent Pages, Etc.)

A17	
A18	
A19	
A20	
A21	

EXAMINER

DATE CONSIDERED

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

**LIST OF REFERENCES CITED BY APPLICANT**

(Use several sheets if necessary)

ATTY DOCKET NO.

487.1094

APPLICATION NO

10/663,333

APPLICANT

OBENDIEK et al.

FILING DATE

09/16/2003

GROUP

3612

**U.S. PATENT DOCUMENTS**

*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	B01						
	B02						
	B03						
	B04						
	B05						
	B06						
	B07						
	B08						
	B09						
	B10						

**FOREIGN PATENT DOCUMENTS**

		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB- CLASS	TRANSLATION	
							YES	NO
	B11	198 05 477	Aug. 5, 99	DE - Germany			English abstract	<input type="checkbox"/>
	B12	199 57 427	Mar. 22, 01	DE - Germany			see US 6,419,296	<input type="checkbox"/>
	B13	199 34 673	Jan. 25, 01	DE - Germany			English abstract	<input type="checkbox"/>
	B14	44 35 222	Nov. 2, 95	DE - Germany			see US 5,769,483	<input type="checkbox"/>
	B15	100 06 290	May 31, 01	DE - Germany			see US 6,502,892	<input type="checkbox"/>
	B16	101 08 493	Sep. 13, 01	DE - Germany			English abstract	<input type="checkbox"/>
	B17	100 39 683	Mar. 7, 02	DE - Germany			see US 6,511,118	<input type="checkbox"/>

**OTHER REFERENCES (Including Author, Title, Date, Pertinent Pages, Etc.)**

	B18	
	B19	
	B20	
	B21	
	B22	

**EXAMINER****DATE CONSIDERED**

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